

CITY COUNCIL MINUTES  
NORMAN UTILITIES AUTHORITY MINUTES  
NORMAN MUNICIPAL AUTHORITY MINUTES  
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES

May 25, 2010

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building on the 25th day of May, 2010, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Atkins, Butler,  
Dillingham, Ezzell, Griffith, Kovach,  
Quinn, Mayor Pro-Tem Cubberley

ABSENT: None

TARDY: Mayor Rosenthal\*

The Pledge of Allegiance was led by Pro-Tem Cubberley.

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Item 3, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 4 through Item 30 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Griffith; and the question being upon the placement on the consent docket by unanimous vote of Item 4 through Item 30, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,  
Dillingham, Ezzell, Griffith, Kovach,  
Quinn, Mayor Pro-Tem Cubberley

NAYES: None

The Mayor Pro-Tem declared the motion carried and Item 4 through Item 30 were placed on the consent docket by unanimous vote.

\* Mayor Rosenthal arrived at 6:37 p.m.

\* \* \* \* \*

Item 4, being:

APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL STUDY SESSION MINUTES OF MAY 4, 2010  
CITY COUNCIL FINANCE COMMITTEE MINUTES OF MAY 5, 2010  
CITY COUNCIL MINUTES OF MAY 11, 2010  
NORMAN UTILITIES AUTHORITY MINUTES OF MAY 11, 2010  
NORMAN MUNICIPAL AUTHORITY MINUTES OF MAY 11, 2010  
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF MAY 11, 2010  
CITY COUNCIL PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE MINUTES  
OF MAY 14, 2010

Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, Councilmember Kovach moved that the minutes be approved and the filing thereof be directed, which motion was duly seconded by Councilmember Atkins;

Item 4, continued:

Items submitted for the record

- 1. City Council Study Session minutes of May 4, 2010
- 2. City Council Finance Committee minutes of May 5, 2010
- 3. City Council minutes of May 11, 2010
- 4. Norman Utilities Authority minutes of May 11, 2010
- 5. Norman Municipal Authority minutes of May 11, 2010
- 6. Norman Tax Increment Finance Authority minutes of May 11, 2010
- 7. City Council Planning and Community Development Committee minutes of May 14, 2010

and the question being upon approving the minutes and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the minutes approved; and the filing thereof was directed.

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Item 5, being:

CONSIDERATION OF ORDINANCE NO. O-0910-17 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE A TRACT OF LAND LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NORTHWEST CORNER OF 12TH AVENUE N.W. AND TECUMSEH ROAD)

Councilmember Kovach moved that the ordinance be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated May 10, 2010, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
- 2. Ordinance No. O-0910-17 with Exhibit A, site development plan
- 3. Location map
- 4. Staff Report dated April 8, 2010, recommending denial
- 5. Founders Park PUD Development Narrative dated December 11, 2009
- 6. Norman Predevelopment Summary Case No. PD 09-20 dated November 19, 2009, for N.W. Corner of Tecumseh Road and 12th Avenue N.W.
- 7. Protest and support area map with 12.6% support and 12.3% protest in notification area
- 8. Letter of protest dated February 8, 2010, from Paul Randles, Senior Vice-President, Sysco Oklahoma, L.L.C., to City of Norman Planning Commission
- 9. Letter of protest dated April 5, 2010, from Chris K. Davis, President, Sysco Oklahoma, L.L.C., to City of Norman Planning Commission
- 10. Statement of support dated January 28, 2010, from William H. Mattoon, President, the Huntington Investment Corporation, to Norman City Council, City of Norman Planning Commission, and City of Norman Planning Department
- 11. Statement of support dated January 28, 2010, from Sean Rieger, on behalf of the Rieger, L.L.C., to Norman City Council, City of Norman Planning Commission, and City of Norman Planning Department
- 12. Statement of support dated February 1, 2010, from D. Chris Strait, Vice-President, Aztec Building Systems, Inc., to Norman City Council, City of Norman Planning Commission, and City of Norman Planning Department
- 13. Statement of support dated February 5, 2010, from Doyle and Eloise Green to Norman City Council, City of Norman Planning Commission, and City of Norman Planning Department
- 14. Pertinent excerpts from Planning Commission minutes of April 8, 2010

Item 5, continued:

and the question being upon the Introduction and adoption of the ordinance upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the ordinance was Introduced, read, and adopted upon First Reading by title.

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Item 6, being:

CONSIDERATION OF ORDINANCE NO. O-0910-21 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE A TRACT OF LAND LYING WITHIN THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 8 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE RM-2, LOW DENSITY APARTMENT DISTRICT, AND R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (INTERSECTION OF BERRY ROAD AND STATE HIGHWAY NO. 9)

Councilmember Kovach moved that the ordinance be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Atkins;

- Items submitted for the record
- 1. Memorandum dated May 10, 2010, from Doug Kosciński, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
  - 2. Ordinance No. O-0910-21 with Exhibit A, site development plan
  - 3. Location map
  - 4. Staff Report dated April 8, 2010, recommending approval
  - 5. Norman Predevelopment Summary Case No. PD 09-26 dated December 17, 2009, for north of Highway 9 at intersection of Berry Road and Highway 9
  - 6. Protest area map with 1.6% protest within notification area
  - 7. Letter of protest dated April 5, 2010, from Jan Stratton to Norman Planning Commission with location map
  - 8. Letter of protest dated February 8, 2010, from Jan Stratton to Norman Planning Commission
  - 9. Letter of protest dated February 5, 2010, from Martin and Kathleen Hallren to City Clerk
  - 10. Pertinent excerpts from Planning Commission minutes of April 8, 2010

and the question being upon the Introduction and adoption of the ordinance upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the ordinance was Introduced, read, and adopted upon First Reading by title.

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Item 7, being:

CONSIDERATION OF ORDINANCE NO. O-0910-27 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A MIXED USE BUILDING IN THE C-3, INTENSIVE COMMERCIAL DISTRICT, FOR A TRACT OF LAND LYING WITHIN LOT TWO (2), BLOCK SIX (6), OF THE ORIGINAL TOWN OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (104 EAST MAIN STREET)

Councilmember Kovach moved that the ordinance be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated May 10, 2010, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
- 2. Ordinance No. O-0910-27 with Exhibit A, site plan and supporting documentation
- 3. Location map
- 4. Staff Report dated April 8, 2010, recommending approval
- 5. Norman Predevelopment Summary Case No. PD 10-01 dated January 28, 2010, for 104 East Main Street
- 6. Pertinent excerpts from Planning Commission minutes of April 8, 2010
- 7. Support area map with 1.6% support within notification area
- 8. Letter of support dated January 15, 2010, from Kurt Pfenning, Revitalized Owner of 108 East Main, to Whom It May Concern

and the question being upon the Introduction and adoption of the ordinance upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the ordinance was Introduced, read, and adopted upon First Reading by title.

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Item 8, being:

CONSIDERATION OF ORDINANCE NO. O-0910-29 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO AMEND THE SITE PLAN WHICH WAS APPROVED WITH ORDINANCE NO. O-9697-33; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1205 EAST ROBINSON STREET)

Councilmember Kovach moved that the ordinance be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated May 10, 2010, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
- 2. Ordinance No. O-0910-29 with Exhibit A, site plan
- 3. Location map
- 4. Staff Report dated April 8, 2010, recommending approval
- 5. Description of project with photographs of similar structures
- 6. Photographs of site location
- 7. Pertinent excerpts from Planning Commission minutes of April 8, 2010

and the question being upon the Introduction and adoption of the ordinance upon First Reading by title, a vote was taken with the following result:

Item 8, continued:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the ordinance was Introduced, read, and adopted upon First Reading by title.

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Item 9, being:

CONSIDERATION OF ORDINANCE NO. O-0910-30 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO AMEND THE SITE PLAN WHICH WAS APPROVED WITH ORDINANCE NO. O-7576-44; AND PROVIDING FOR THE SEVERABILITY THEREOF. (COLONIAL ESTATES SHOPPING CENTER)

Councilmember Kovach moved that the ordinance be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Atkins;

- Items submitted for the record
- 1. Memorandum dated May 10, 2010, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
  - 2. Ordinance No. O-0910-30 with Exhibit A, site plan
  - 3. Location map
  - 4. Staff Report dated April 8, 2010, recommending approval
  - 5. Description of project
  - 6. Photographs of similar structure
  - 7. Photographs of site location
  - 8. Pertinent excerpts from Planning Commission minutes of April 8, 2010

and the question being upon the Introduction and adoption of the ordinance upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the ordinance was Introduced, read, and adopted upon First Reading by title.

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Item 10, being:

CONSIDERATION OF ORDINANCE NO. O-0910-32 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PORTION OF A SANITARY SEWER EASEMENT WITHIN LOT 6, BLOCK 1, REPLAT OF LAKEWOOD PARK ADDITION, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2701 SOUTH BERRY ROAD)

Councilmember Kovach moved that the ordinance be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Atkins;

- Items submitted for the record
- 1. Memorandum dated May 10, 2010, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
  - 2. Ordinance No. O-0910-32
  - 3. Letter of request received October 23, 2009, from Lynn C. Rogers to Ken Danner, City of Norman Engineering
  - 4. Location maps

Item 10, continued:

Items submitted for the record, continued:

- 5. Staff Report dated April 8, 2010, recommending approval
- 6. Protest area map with 55.2% protest within notification area
- 7. Letter of protest dated March 29, 2010, from Robert J. and Sally S. Vandewater to Norman Planning Commission
- 8. Letter of protest dated March 29, 2010, from Russell Koch to Norman Planning Commission
- 9. Letter of protest dated March 29, 2010, from Victor Aktansel to Norman Planning Commission
- 10. Letter of protest dated March 29, 2010, from S. L. McGee-Layne to Norman Planning Commission
- 11. Letter of protest dated March 30, 2010, from Judith A. Carella to Norman Planning Commission
- 12. Letter of protest dated March 30, 2010, from Michael Abbott to Norman Planning Commission
- 13. Letter of protest dated March 30, 2010, from Brenda and Michael Monroe to Norman Planning Commission
- 14. Letter of protest dated March 30, 2010, from Jimmie C. Thomas to Norman Planning Commission
- 15. Letter of protest dated March 30, 2010, from Frank M. Marks to Norman Planning Commission
- 16. Letter of protest dated March 30, 2010, from Dorothy L. Ghahremani to Norman Planning Commission
- 17. Letter of protest dated March 30, 2010, from Reginald E. Tempelmeyer to Norman Planning Commission
- 18. Letter of protest dated March 30, 2010, from Geraldine and Earl Whitman to Norman Planning Commission
- 19. Letter of protest dated March 31, 2010, from Richard Stawicki to Norman Planning Commission
- 20. Letter of protest dated March 31, 2010, from John Gowan to Norman Planning Commission
- 21. Letter of protest dated April 1, 2010, from M'Lynn Emanuel to Norman Planning Commission
- 22. Letter of protest dated April 1, 2010, from Kelly Steele to Norman Planning Commission
- 23. Letter of protest dated April 1, 2010, from C.E. (Carl) Afelta to Norman Planning Commission
- 24. Letter of protest dated April 1, 2010, from Richard and Harryett Ann Richardson to Norman Planning Commission
- 25. Letter of protest dated April 2, 2010, from Jill and Mark Miller to Norman Planning Commission
- 26. Letter of protest dated April 3, 2010, from Pat Doherty to Norman Planning Commission
- 27. Letter of protest dated April 3, 2010, from Bonnie Knippenberg to Norman Planning Commission
- 28. Letter of protest dated May 3, 2010, from Kathryn L. Smith to Norman City Council
- 29. Letter of protest dated April 28, 2010, from Peter Brueckner to Norman City Council
- 30. Letter of protest dated May 17, 2010, from Ellis Randolph to Norman City Council

and the question being upon the Introduction and adoption of the ordinance upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the ordinance was Introduced, read, and adopted upon First Reading by title.

Item 11, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF APRIL 30, 2010, AND DIRECTING THE FILING THEREOF.

Councilmember Kovach moved that receipt of the report be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Finance Director's Investment Report of April 30, 2010

and the question being upon acknowledging receipt of the report and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

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Item 12, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF APRIL, 2010, AND DIRECTING THE FILING THEREOF.

Councilmember Kovach moved that receipt of the reports be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Monthly Departmental Reports for the month of April, 2010

and the question being upon acknowledging receipt of the reports and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of the reports acknowledged; and the filing thereof was directed.

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Item 13, being:

SUBMISSION OF THE NORMAN REGIONAL HOSPITAL 2011 BUDGET.

Councilmember Kovach moved that receipt of the Norman Regional Hospital 2011 Budget be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Investment by Type
- 2. Norman Regional Health System Fiscal Year Ending June 30, 2011, Preliminary Budget

Participants in discussion

- 1. Mr. David Whitaker, Chief Executive Officer, Norman Regional Health Systems
- 2. Mr. Ken Hopkins, Chief Financial Officer, Norman Regional Health Systems

Item 13, continued:

and the question being upon acknowledging receipt of the Norman Regional Hospital 2011 Budget and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of the Norman Regional Hospital 2011 Budget acknowledged; and the filing thereof was directed.

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Item 14, being:

CONSIDERATION OF BID NO. 0910-54 AND CONTRACT NO. K-0910-144 WITH ASSOCIATED ENVIRONMENTAL INDUSTRIES CORPORATION IN THE AMOUNT OF \$925,848.50, PERFORMANCE BOND NO. B-0910-53, STATUTORY BOND NO. B-0910-54, AND MAINTENANCE BOND NO. B-0910-56 FOR THE CONSTRUCTION OF TEN WATER WELL HOUSES IN CONNECTION WITH PHASE 2 OF THE WELL FIELD DEVELOPMENT PROJECT.

Acting as the Norman Utilities Authority, Trustee Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$925,848.50 be awarded to Associated Environmental Industries Corporation as the lowest and best bidder meeting specifications; Contract No. K-0910-144 and the performance, statutory, and maintenance bonds be approved; the filing of the bonds be directed; and execution of the contract and the Norman Utilities Authority as part of the contract to pay subcontractors for equipment and supplies in an approximate amount of \$925,848.50 for the construction of ten water well houses in connection with Phase 2 of the Well Field Development Project be authorized, which motion was duly seconded by Trustee Atkins;

Items submitted for the record

1. Memorandum dated May 10, 2010, from Jim Speck, Capital Projects Engineer, to Norman Utilities Authority
2. Letter dated May 3, 2010, from Richard M. Grotte, P.E., Project Manager, Poe & Associates, Inc., to Norman Utilities Authority
3. Bid tabulation dated April 29, 2010, for construction of ten new water well houses
4. Photographs of Well House Nos. 44, 45, 46, 47, 48, and 49
5. Location map
6. Contract No. K-0910-144
7. Performance Bond No. B-0910-53
8. Statutory Bond No. B-0910-54
9. Maintenance Bond No. MB-0910-56
10. Purchase Requisition No. 0000171221 dated May 19, 2010, in the amount of \$925,848.50 to Associated Environmental Industries Corporation

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, approval, directive, and authorizations, a vote was taken with the following result:

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$925,848.50 was awarded to Associated Environmental Industries Corporation as the lowest and best bidder meeting specifications; Contract No. K-0910-144 and the performance, statutory, and maintenance bonds were approved; the filing of the bonds was directed; execution of the contract and the Norman Utilities Authority as part of the contract to pay subcontractors for equipment and supplies in an approximate amount of \$925,848.50 for the construction of ten water well houses in connection with Phase 2 of the Well Field Development Project were authorized.

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Item 15, being:

**CONSIDERATION AND AWARDING OF BID NO. 0910-59 FOR AUTOMOTIVE BODY REPAIR OF CITY VEHICLES FOR THE FLEET MAINTENANCE DIVISION.**

Councilmember Kovach moved that the bid as meeting specifications be accepted and the bid be awarded to Worlund Collision, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Memorandum dated May 25, 2010, from Mike White, Fleet Management Superintendent, to Honorable Mayor and City Council
2. Bid tabulation dated May 25, 2010, for Automotive Body Repair

and the question being upon accepting the bid as meeting specifications and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the bid as meeting specifications accepted; and the bid was awarded to Worlund Collision, Inc., as the lowest and best bidder meeting specifications.

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Item 16, being:

**CONSIDERATION OF ACCEPTANCE OF PERMANENT EASEMENT NOS. E-0910-72, E-0910-73, E-0910-74, E-0910-76, AND E-0910-77 AND TEMPORARY EASEMENT NO. E-0910-75 DONATED BY THE BOARD OF REGENTS OF THE UNIVERSITY OF OKLAHOMA; PERMANENT EASEMENT NO. E-0910-79 AND TEMPORARY EASEMENT NO. E-0910-78 FROM LIGHTHOUSE INVESTMENTS, L.L.C., IN THE AMOUNT OF \$5,390; PERMANENT EASEMENT NOS. E-0910-80 AND E-0910-82 AND TEMPORARY EASEMENT NO. E-0910-81 FROM ERNEST G. AND JOYCE N. SHADID IN THE AMOUNT OF \$13,700; AND PERMANENT EASEMENT NO. E-0910-86 AND TEMPORARY EASEMENT NO. E-0910-87 FROM NORTH AMERICAN ISLAMIC TRUST, INC., IN THE AMOUNT OF \$34,225 AND APPROVAL OF THE RELEASE OF A PERMANENT SANITARY EASEMENT FILED IN 1938 AND PERMANENT EASEMENT NO. E-0607-64 FILED IN 2007 IN CONNECTION WITH THE LINDSEY STREET WIDENING PROJECT BETWEEN LINCOLN AVENUE AND THE BURLINGTON NORTHERN AND SANTA FE (BNSF) RAILROAD TRACKS.**

Councilmember Kovach moved that the easements be accepted; the filing of the permanent easements with the Cleveland County Clerk and the temporary easements with the City Clerk be directed; payment for easements, where applicable, be authorized; and release of a permanent sanitary sewer easement filed in Book No. 85, Pages 136, 137, and 138 in 1938 and Easement No. E-0607-64 be approved, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Memorandum dated May 5, 2010, from Lonnie Ferguson, Capital Projects Engineer, to Honorable Mayor and Councilmembers
2. Easement Nos. E-0910-72, E-0910-73, and E-0910-74 with Exhibits "A," legal descriptions
3. Temporary Easement No. E-0910-75 with Exhibit "A," legal description
4. Easement Nos. E-0910-76 and E-0910-77 with Exhibits "A," legal descriptions
5. Location map for Easement Nos. E-0910-72 through E-0910-77
6. Temporary Easement No. E-0910-78
7. Easement No. E-0910-79
8. Location map for Easement Nos. E-0910-78 and E-0910-79
9. Easement No. E-0910-80
10. Temporary Easement No. E-0910-81
11. Easement No. E-0910-82
12. Location map for E-0910-82

Item 16, continued:

Items submitted for the record, continued:

- 13. Easement No. E-0910-86
- 14. Temporary Easement No. E-0910-87
- 15. Location map for Easements No. E-0910-87 and E-0910-88
- 16. Release of Easement No. E-0607-64
- 17. Easement No. E-0607-64
- 18. Release of Easement filed October 30, 1937
- 19. Easement dated October 30, 1937 from Ralph C. Hardie and E.N. Herskowitz
- 20. Location map for E-0607-64 and Right-Of-Way Easement filed in 1938

and the question being upon accepting the easements and upon the subsequent directive, authorization, and approvals, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the easements accepted; the filing of the permanent easements with the Cleveland County Clerk and the temporary easements with the City Clerk was directed; payment for the easements, where applicable, was authorized; and release of a permanent sanitary sewer easement filed in Book No. 85, Pages 136, 137, and 138 in 1938 and Easement No. E-0607-64 were approved.

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Item 17, being:

CONSIDERATION OF GRANTING PUBLIC UTILITY EASEMENT NO. E-0910-88 TO OKLAHOMA GAS AND ELECTRIC COMPANY TO SUPPLY POWER TO FIRE STATION NO. EIGHT LOCATED ON THE EAST SIDE OF 36TH AVENUE N.W., 1/4 MILE NORTH OF TECUMSEH ROAD.

Councilmember Kovach moved that the easement be granted and the execution thereof be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated April 27, 2010, from James Fullingim, Fire Chief, to Honorable Mayor and City Council
- 2. Letter dated April 15, 2010, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services, to James Fullingim, City of Norman
- 3. Easement No. E-0910-88 with Exhibit “A,” legal description
- 4. Location map

and the question being upon granting the easement and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Ezzell, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the easement granted; and the execution thereof was directed.

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Item 18, being:

CONSIDERATION OF DEFERRED CONSTRUCTION OF SIDEWALK IMPROVEMENTS AND ACCEPTANCE OF IRREVOCABLE LETTER OF CREDIT AS SURETY IN CONNECTION WITH HOLY ASCENSION ANTIOCHIAN ORTHODOX CHURCH ADDITION.

Councilmember Kovach moved that deferred construction of sidewalk improvements for Holy Ascension Antiochian Orthodox Church Addition be approved with the condition that when the City of Norman requires construction of sidewalks, the property owner will construct the sidewalks within sixty (60) days, the Irrevocable Letter of Credit in lieu of a Certificate of Deposit be accepted, and the owner be directed to submit the letter of credit within ten (10) days, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated May 7, 2010, from Ken Danner, Development Manager, to Honorable Mayor and Councilmembers
- 2. Location map
- 3. Staff Report dated April 8, 2010, recommending approval with conditions
- 4. Letter dated February 22, 2010, from Edward R. Adwon, Parish Council Chairman, Holy Ascension Church, to Ms. Susan Connors, Director of Planning and Community Development, and Mr. Shawn O’Leary, Director of Public Works
- 5. Property description, South Tract, Holy Ascension Antiochian Orthodox Christian Church dated July 5, 2007, from Kelly J. Henderson, PLS, Lemke Land Surveying, Inc.
- 6. Letter dated February 23, 2010, from Matthew R. Clouse, Vice-President, Valliance Bank, to Mr. Edward Adwon, Holy Ascension Antiochian Orthodox Christian Church, Inc.

and the question being upon approving deferred construction of sidewalk improvements for Holy Ascension Antiochian Orthodox Church Addition with the condition that when the City of Norman requires construction of sidewalks, the property owner will construct the sidewalks within sixty (60) days and upon the subsequent acceptance and directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Ezzell, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and deferred construction of sidewalk improvements for Holy Ascension Antiochian Orthodox Church Addition approved with the condition that when the City of Norman requires construction of sidewalks, the property owner will construct the sidewalks within sixty (60) days; the Irrevocable Letter of Credit in lieu of a Certificate of Deposit was accepted and the owner was directed to submit the letter of credit within ten (10) days.

\* \* \* \* \*

Item 19, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. 0910-7 FOR LOTS 30, 31, 32, 33, 34, AND 36, BLOCK 1, CASCADE ESTATES ADDITION, SECTION 4. (3000, 3002, 3004, 3006, 3008, AND 3012 CARNOUSTIE DRIVE)

Councilmember Kovach moved that Consent to Encroachment No. 0910-7 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated May 17, 2010, from Leah Messner, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
- 2. Consent to Encroachment No. 0910-7
- 3. Request for Consent to Encroach filed April 23, 2010, from Anthony Mirzaie, Authorized Representative, Westpoint Group, L.L.C.
- 4. Location maps

Item 19, continued:

Items submitted for the record, continued

- 5. Memorandum dated May 10, 2010, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
- 6. Memorandum dated April 13, 2010, from Doug Koscinski, AICP, Manager, of Current Planning, to Honorable Mayor and Councilmembers
- 7. Memorandum dated April 23, 2010, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Doug Koscinski, Current Planning Manager; Ken Danner, Development Manager; and Ken Komiske, Director of Utilities
- 8. Memorandum dated April 8, 2010, from Ken Danner, Development Manager, to Blaine Nice, Assistant City Attorney
- 9. Letter dated April 26, 2010, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services, to Ken Danner, Development Coordinator
- 10. E-mail dated April 27, 2010, from Thad Peterson, Oklahoma Electric Cooperative, to Ken Danner
- 11. Letter of no objection dated May 10, 2010, from Shannon Davis, Oklahoma Natural Gas Company, to Ken Danner, Development Coordinator Manager, and Drew Norlin
- 12. Letter dated May 13, 2010, from Marshall Birchett, Right-of-Way Agent,, Cox Communications, to Whom It May Concern

and the question being upon approving Consent to Encroachment No. 0910-7 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Ezzell, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Consent to Encroachment No. 0910-7 approved; and the filing thereof with the Cleveland County Clerk was directed.

\* \* \* \* \*

Item 20, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. 0910-8 FOR LOTS 11 AND 12, BLOCK 1, HIGHLAND VILLAGE ADDITION, SECTION 5. (3301 AND 3305 NESS CIRCLE)

Councilmember Kovach moved that Consent to Encroachment No. 0910-8 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated May 17, 2010, from Leah Messner, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
- 2. Consent to Encroachment No. 0910-8
- 3. Letter of request dated April 16, 2010, from Abdi S. Malakouti, Builder, Westpoint Development d/b/a Westpoint Homes, to Ms. Brenda Hall, City Clerk
- 4. Location maps
- 5. Memorandum dated April 16, 2010, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Doug Koscinski, Current Planning Manager; Ken Danner, Development Manager; and Ken Komiske, Director of Utilities
- 6. Memorandum dated May 5, 2010, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
- 7. Memorandum dated May 10, 2010 from Doug Koscinski, AICP, Manager, of Current Planning, to Brenda Hall, City Clerk
- 8. Memorandum dated May 13, 2010, from Ken Danner, Development Manager, to Blaine Nice, Assistant City Attorney
- 9. Letter of no objection received April 30, 2010, from Shannon Davis, Oklahoma Natural Gas Company, to Mr. Norlin and Mr. Danner

Item 20, continued:

Items submitted for the record, continued:

10. Letter dated April 27, 2010, from Terri Hayes, Manager, OSP Planning and Engineering Design, Norman/Noble Wire Center, AT&T, to Whom It May Concern
11. E-mail dated April 27, 2010, from Thad Peterson, Oklahoma Electric Cooperative, to Ken Danner
12. Letter dated May 10, 2010, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services, to Ken Danner, Development Coordinator
13. Letter dated May 13, 2010, from Marshall Birchett, Right of Way Agent, Cox Communications, to Ken Danner, Planning and Community Development

and the question being upon approving Consent to Encroachment No. 0910-8 and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Cubberley, Ezzell, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Consent to Encroachment No. 0910-8 approved; and the filing thereof with the Cleveland County Clerk was directed.

\* \* \* \* \*

Item 21, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. 0910-10 FOR LOT 5, BLOCK 1, BROOKHAVEN NO. 27 ADDITION. (4700 ABERDEEN COURT)

Councilmember Kovach moved that Consent to Encroachment No. 0910-10 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Memorandum dated May 17, 2010, from Leah Messner, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Consent to Encroachment No. 0910-10
3. Letter of request dated May 5, 2010, from Richard and Sheri Straughn to Brenda Hall, City Clerk
4. Location map
5. Letter dated June 8, 2010, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services, to Richard H. Straughn
6. E-mail dated April 27, 2010, from Thad Peterson, Oklahoma Electric Cooperative, to R.H. Straughn
7. Letter dated April 27, 2010, from Terri Hayes, Manager – OSP Planning and Engineering Design, Norman/Noble Wire Center, AT&T, to Whom It May Concern
8. E-mail dated April 30, 2010, from Shannon Davis, Oklahoma Natural Gas Company, to R. H. Straughn
9. Letter dated May 6, 2010, from Jodie Finney, Right of Way Agent, Cox Communications, to R.H. Straughn
10. Memorandum dated May 10, 2010, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
11. Memorandum dated May 10, 2010 from Doug Koscinski, Manager of Current Planning, to Brenda Hall, City Clerk
12. Memorandum dated May 13, 2010, from Ken Danner, Development Manager, to Blaine Nice, Assistant City Attorney
13. Memorandum dated May 7, 2010, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Doug Koscinski, Current Planning Manager; Ken Danner, Development Manager; and Ken Komiske, Director of Utilities

Item 21, continued:

and the question being upon approving Consent to Encroachment No. 0910-10 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Ezzell, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Consent to Encroachment No. 0910-10 approved; and the filing thereof with the Cleveland County Clerk was directed.

\* \* \* \* \*

Item 22, being:

SUBMISSION OF WATER LINE PERMIT NO. WL000014100203 AND SEWER LINE PERMIT NO. SL000014100204 SUBMITTED BY THE STATE OF OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) FOR SANITARY SEWER AND WATER MAIN RELOCATION IMPROVEMENTS IN CONNECTION WITH THE LINDSEY STREET WIDENING PROJECT BETWEEN LINCOLN AVENUE AND THE BURLINGTON, NORTHERN, SANTA FE (BNSF) RAILROAD TRACKS.

Councilmember Kovach moved that the permits be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated May 6, 2010, from Lonnie Ferguson, Capital Projects Manager, to Honorable Mayor and Councilmembers
- 2. Letter of transmittal dated April 23, 2010, from Eddie Rhandour, E.I., Construction Permit Section, Water Quality Division, State of Oklahoma Department of Environmental Quality, to Mr. Bob Hanger, City Engineer
- 3. State of Oklahoma Department of Environmental Quality Permit No WL000014100203 dated April 23, 2010, Water Lines
- 4. Letter of transmittal dated April 23, 2010, from Eddie Rhandour, E.I., Construction Permit Section, Water Quality Division, State of Oklahoma Department of Environmental Quality, to Mr. Bob Hanger, City Engineer
- 5. State of Oklahoma Department of Environmental Quality Permit No. SL000014100204 dated April 23, 2010, Sewer Lines

and the question being upon acknowledging receipt of the permits and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of the permits acknowledged; and the filing thereof was directed.

\* \* \* \* \*

Item 23, being:

LIMITED LICENSE NO. 0910-12: LIMITED LICENSE TO PLACE FIVE (5) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM JAZZ IN JUNE FOR THE JAZZ IN JUNE FESTIVAL TO BE HELD JUNE 24 THROUGH 26, 2010.

Councilmember Kovach moved that Limited License No. 0910-12 to place five (5) ground banners within the public rights-of-way pursuant to a request from Jazz in June be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated May 12, 2010, from Wayne Stenis, AICP, Planner II, to Honorable Mayor and Councilmembers, Norman City Council
- 2. Application for Limited License for five ground banners dated March 4, 2010, from Courtney Van Amburgh
- 3. Limited License No. 0910-12

and the question being upon approving Limited License No. 0910-12 to place five (5) signs within the public rights-of-way pursuant to a request from Jazz in June and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Limited License No. 0910-12 to place five (5) signs within the public rights-of-way pursuant to a request from Jazz in June approved; and the issuance thereof was authorized.

\* \* \* \* \*

Item 24, being:

LIMITED LICENSE NO. 0910-13: LIMITED LICENSE TO PLACE FOUR (4) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE FIREHOUSE ART CENTER FOR THE MIDSUMMER NIGHT'S FAIR TO BE HELD JULY 9 AND 10, 2010, AT LION'S PARK.

Councilmember Kovach moved that Limited License No. 0910-13 to place four (4) ground banners within the public rights-of-way pursuant to a request from Firehouse Art Center be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated May 12, 2010, from Wayne Stenis, AICP, Planner II, to Honorable Mayor and Councilmembers, Norman City Council
- 2. Application for Limited License for four ground banners dated February 22, 2010, from Firehouse Art Center
- 3. Limited License No. 0910-13

and the question being upon approving Limited License No. 0910-13 to place four (4) signs within the public rights-of-way pursuant to a request from Firehouse Art Center and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Limited License No. 0910-13 to place four (4) signs within the public rights-of-way pursuant to a request from Firehouse Art Center approved; and the issuance thereof was authorized.

\* \* \* \* \*

Item 25, being:

CONSIDERATION OF FINAL ACCEPTANCE OF CONTRACT NO. K-0910-25 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CENTRAL CONTRACTING SERVICES, INC., FOR THE ROBINSON STREET GRADE SEPARATION WATER/SEWER LINE RELOCATION PROJECT.

Councilmember Kovach moved that the project be accepted, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated May 10, 2010, from John Clink, Capital Projects Engineer, to Honorable Mayor and Councilmembers

and the question being upon the project being accepted, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Ezzell, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the project was accepted.

\* \* \* \* \*

Item 26, being:

CONSIDERATION OF THE ACCEPTANCE OF A PUBLIC FLEET CONVERSION GRANT IN THE AMOUNT OF \$200,000 FROM THE ASSOCIATION OF CENTRAL OKLAHOMA (ACOG) IN THE AMOUNT OF \$200,000 TO BE USED TO PROVIDE A COMPRESSED NATURAL GAS (CNG) SLOW FILL COMPRESSOR STATION FOR THE FLEET MANAGEMENT DIVISION AND APPROVAL OF CONTRACT NO. K-0910-179.

Councilmember Kovach moved that a Public Fleet Conversion Grant in the amount of \$200,000 from ACOG to be used by the Fleet Maintenance Division for Phase 1 of a Compressed Natural Gas (CNG) Fueling Station at North Base be accepted and \$200,000 be appropriated from Special Revenue Fund Balance (022-0000-253.20-00) to CNG Fueling Station, Construction (022-9503-435.61-01), which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated May 25, 2010, from Mike White, Fleet Management Superintendent, to Honorable Mayor and City Council
- 2. Location map
- 3. Contract No. K-0910-179

and the question being upon accepting a Public Fleet Conversion Grant in the amount of \$200,000 from ACOG to be used by the Fleet Maintenance Division for Phase 1 of a Compressed Natural Gas (CNG) Fueling Station at North Base and upon the subsequent appropriation, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and a Public Fleet Conversion Grant in the amount of \$200,000 from ACOG to be used by the Fleet Maintenance Division for Phase 1 of a Compressed Natural Gas (CNG) Fueling Station at North Base accepted; and \$200,000 was appropriated from Special Revenue Fund Balance (022-0000-253-20-00) to CNG Fueling Station, Construction (022-9503-435.61-01).

\* \* \* \* \*



Councilmember Dillingham asked that she be allowed to abstain from voting on Item 27 due to a conflict of interest. Thereupon, Councilmember Quinn moved that Councilmember Dillingham be allowed to abstain from voting on Item 27 due to a conflict of interest, which motion was duly seconded by Councilmember Kovach; and the question being upon allowing Councilmember Dillingham to abstain from voting on Item 27 due to a conflict of interest, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Dillingham

The Mayor declared the motion carried and Councilmember Dillingham was allowed to abstain from voting on Item 27 due to a conflict of interest.

\* \* \* \* \*

Item 27, being:

RESOLUTION NO. R-0910-119: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, TRANSFERRING \$55,135 FROM THE PRISONER CARE/RECOVERY ACCOUNT TO COVER PRISONER CARE EXPENSES THROUGH THE END OF FYE 2010.

Councilmember Kovach moved that Resolution No. R-0910-119 be adopted, which motion was duly seconded by Councilmember Atkins;

- Items submitted for the record
1. Memorandum dated April 21, 2010, from Phil Cotten, Chief of Police, to Honorable Mayor and City Council
  2. Resolution No. R-0910-119

and the question being upon adopting Resolution No. R-0910-119, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Dillingham

The Mayor declared the motion carried and Resolution No. R-0910-119 was adopted.

\* \* \* \* \*

Item 28, being:

RESOLUTION NO. R-0910-121: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, TRANSFERRING \$138,000 FROM THE BOYD/PICKARD INTERSECTION/BRIDGE CAPITAL PROJECT TO THE WEST MAIN BRIDGE REPLACEMENT PROJECT AND \$1,595 FROM THE RHODES GRAIN COMPANY PROPERTY PROJECT ACCOUNT TO THE EASTSIDE MUNICIPAL FACILITY PROJECT.

Councilmember Kovach moved that Resolution No. R-0910-121 be adopted, which motion was duly seconded by Councilmember Atkins;

- Items submitted for the record
1. Memorandum dated May 7, 2010, from Linda R. Price, Revitalization Manager, to Honorable Mayor and Councilmembers
  2. Resolution No. R-0910-121

Item 28, continued:

and the question being upon adopting Resolution No. R-0910-121, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-0910-121 was adopted.

\* \* \* \* \*

Item 29, being:

RESOLUTION NO. R-0910-122: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, TRANSFERRING \$588,669 FROM VARIOUS CAPITAL PROJECTS TO ADDRESS SERIOUS NEEDS FOR MAINTENANCE OF EXISTING CITY OF NORMAN FACILITIES.

Councilmember Kovach moved that Resolution No. R-0910-122 be adopted, which motion was duly seconded by Councilmember Atkins;

- Items submitted for the record
- 1. Memorandum dated April 23, 2010, from Linda Price, Revitalization Manager, to Steve Lewis, City Manager
  - 2. Resolution No. R-0910-122
- Participants in discussion
- 1. Ms. Sylvia Martin, Post Office Box 430, asked questions
  - 2. Ms. Linda Price, Revitalization Manager

and the question being upon adopting Resolution No. R-0910-122, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-0910-122 was adopted.

\* \* \* \* \*

Item 30, being:

PROCLAMATION NO. P-0910-29: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF MAY, 2010, AS COMMUNITY ACTION MONTH IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0910-29 proclaiming the month of May, 2010, as Community Action Month in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Atkins;

- Items submitted for the record
- 1. Proclamation No. P-0910-29
- Participants in discussion
- 1. Ms. Rebecca Peterson, Central Oklahoma Community Action Agency Representative, accepted the proclamation and thanked the Council

Item 30, continued:

and the question being upon acknowledging receipt of Proclamation No. P-0910-29 proclaiming the month of May, 2010, as Community Action Month in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of Proclamation No. P-0910-29 proclaiming the month of May, 2010, as Community Action Month in the City of Norman acknowledged; and the filing thereof was directed.

\* \* \* \* \*

Item 31, being:

PUBLIC HEARING REGARDING THE FYE 2011 CITY OF NORMAN PROPOSED OPERATING AND CAPITAL BUDGETS AND THE NORMAN CONVENTION AND VISITORS BUREAU, INC., BUDGET WITH DETAILED ANNUAL PLAN OF WORK.

Councilmember Kovach moved that a public hearing be conducted, which motion was duly seconded by Councilmember Dillingham;

- Items submitted for the record
1. City of Norman, Oklahoma, Fiscal Year Ending 2011 Annual Budget Summary of Fund Balances
  2. Norman Convention and Visitors Bureau Destination Management Plan, Fiscal Year 2011 (July 2010 – June 2011)
  3. Norman Convention and Visitors Bureau Budget, Fiscal Year Ending 2011
  4. PowerPoint presentation entitled, “The City of Norman, Oklahoma, Fiscal Year 2010-2011 Public Budget Hearing” dated May 25, 2010
  5. Petition containing 927 signatures submitted by AFSCME employees

and the question being upon conducting a public hearing, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and a public hearing was conducted.

Thereupon, the following persons addressed City Council:

- Participants in discussion
1. Mr. Anthony Francisco, Finance Director
  2. Mr. Butch Crawford, President, International Association of Firefighters Union (IAFF), Local 2067
  3. Mr. Steve Lucas, 804 Fairway Drive
  4. Ms. Jane Pennington, 325 Windbrook Drive, Board of Directors for Center for Children and Families/Neighborhood Centers
  5. Mr. Henry Baskeyfield, 4701 Mistletoe Road, President, American Federation Of State, County And Municipal Employees Union (AFSCME)
  6. Mr. Roger Gallagher, 1522 East Boyd Street
  7. Mr. Gary Griffiths, 317 West Himes Street
  8. Ms. Sheila Wiard, 1611 Crawford Avenue
  9. Mr. Phillip Brooks, 2504 Leeds Lane
  10. Ms. Judy Calhoun, 3101 Sexton Drive
  11. Mr. Brian Jackson, 3804 Cobble Circle
  12. Mr. Greg Clark, 1306 Keystone Lane
  13. Mr. Mark Mitchell, 920 Barn Owl Street
  14. Mr. Glenn Brown, 516 Chautauqua Avenue
  15. Mr. Mike Carter, 10804 Timberline Drive

Item 31, continued:

Participants in discussion, continued:

16. Mr. W.T. Farrow, Post Office Box 844, Oklahoma City
17. Mr. Leonard Youngblood, 3201 Swan Hollow Drive
18. Ms. Mary Francis, 850-C Cardinal Creek Condos

Thereupon, Councilmember Quinn moved that the public hearing be closed, which motion was duly seconded by Councilmember Kovach; and the question being upon closing the public hearing, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the public hearing was closed.

Thereupon, Councilmember Dillingham moved that an agenda item be scheduled on June 8, 2010, to adopt the FYE 2011 City of Norman Budget and the Norman Convention and Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work, which motion was duly seconded by Councilmember Atkins;

Participants in discussion

1. Mr. Anthony Francisco, Finance Director
2. Mr. Jeff Bryant, City Attorney
3. Mr. Steve Lewis, City Manager

and the question being upon an agenda item being scheduled on June 8, 2010, to adopt the FYE 2011 City of Norman Budget and the Norman Convention and Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and an agenda item will be scheduled on June 8, 2010, to adopt the FYE 2011 City of Norman Budget and the Norman Convention and Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work.

\* \* \* \* \*

Item 32, being:

**CONSIDERATION OF A PRELIMINARY PLAT FOR FOUNTAIN VIEW ADDITION (FORMERLY WINDSTONE FARMS ADDITION).**

Councilmember Cubberley moved that the preliminary plat for Fountain View Addition (formerly Windstone Farms Addition) subject to receipt of the Traffic Impact Fee in the amount of \$4,177.47 be approved, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated April 19, 2010, from Angelo Lombardo, Traffic Engineer, and Ken Danner, Development Manager, to Honorable Mayor and Councilmembers
2. Location map
3. Preliminary plat
4. Staff Report dated April 8, 2010, recommending approval
5. City of Norman Development Review Form Transportation Impacts for Windstone/Fountain View dated April 2, 2010, conducted by David R. Riesland, P.E., Assistant City Traffic Engineer
6. Pertinent excerpts from Board of Parks Commissioners minutes of August 5, 2004
7. Pertinent excerpts from Planning Commission minutes of April 8, 2010
8. Memorandum dated September 5, 2008, from Jeff Harley Bryant, City Attorney, to Ken Danner, Development Coordinator
9. PowerPoint presentation submitted by Richard Ryan

Item 32, continued:

Items submitted for the record, continued

- 10. Letter dated May 25, 2010, from Harold Heiple, Heiple Law Offices, to Mayor Cindy Rosenthal
- 11. PowerPoint presentation submitted by Marion Hutchison
- 12. Section 19-304 of the City of Norman Subdivision Regulations

Participants in discussion

- 1. Mr. Tom McCaleb, SMC Consulting Engineers, P.C., 815 West Main, Oklahoma City, engineer representing the applicant
- 2. Mr. Shawn O’Leary, Director of Public Works
- 3. Mr. Richard Ryan, 3306 Hillview Drive, made comments
- 4. Mr. Marion Hutchison, 5220 Montrose Circle, made comments
- 5. Mr. Darrell Janaway, 5012 Deerhurst Drive, made comments
- 6. Mr. Harold Heiple, 218 East Eufaula Street, attorney for the applicant

Thereupon, Councilmember Kovach moved to amend approval of the preliminary plat to be subject to the developer providing detention areas within the subdivision which comply with applicable City ordinances as determined by the Directors of Public Works and Utilities; which motion was duly seconded by Councilmember Dillingham;

Participants in discussion

- 1. Mr. Glenn Brown, 516 Chautauqua Avenue, made comments
- 2. Mr. Marion Hutchison, 5220 Montrose Circle, made comments
- 3. Ms. Glynis Edgar, 3306 Hillview Drive, made comments
- 4. Mr. Darrell Janaway, 5012 Deerhurst Drive, made comments
- 5. Mr. Harold Heiple, 218 East Eufaula Street, attorney for the applicant

and the question being upon amending approval of the preliminary plat to be subject to the developer providing detention areas within the subdivision which comply with applicable City ordinances as determined by the Directors of Public Works and Utilities, a vote was taken with the following result:

YEAS:

Councilmembers Atkins, Butler, Cubberley, Dillingham, Griffith, Kovach, Mayor Rosenthal

NAYES:

Councilmembers Ezzell and Quinn

The Mayor declared the motion carried and approval of the preliminary plat was amended to be subject to the developer providing detention areas within the subdivision which comply with applicable City ordinances as determined by the Directors of Public Works and Utilities.

Thereupon, Councilmember Kovach moved to amend approval of the preliminary plat to hold the property owners on Hillview Drive harmless from any damages that will occur in Fountain View Addition, which motion was duly seconded by Councilmember Dillingham;

Participants in discussion

- 1. Mr. Richard Ryan, 3306 Hillview Avenue, asked questions
- 2. Mr. Jeff Bryant, City Attorney

and the question being upon amending approval of the preliminary plat to hold the property owners on Hillview Drive harmless from any damages that will occur in Fountain View Addition, a vote was taken with the following result:

YEAS:

Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and approval of the preliminary plat was amended to hold the property owners on Hillview Drive harmless from any damages that will occur in Fountain View Addition.

Item 32, continued:

and the question being upon approving the preliminary plat for Fountain View Addition (formerly Windstone Farms Addition), as amended, subject to receipt of the Traffic Impact Fee in the amount of \$4,177.47, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn,, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the preliminary plat for Fountain View Addition (formerly Windstone Farms Addition), as amended, subject to receipt of the Traffic Impact Fee in the amount of \$4,177.47 was approved.

\* \* \* \* \*

Item 33, being:

ORDINANCE NO. O-0910-34: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTIONS 14-411(D) AND 14-507 TO CHAPTER 14 OF THE CODE OF THE CITY OF NORMAN TO INCREASE MUNICIPAL COURT COSTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-0910-34 having been Introduced and adopted upon First Reading by title in City Council's meeting of May 11, 2010, Councilmember Kovach moved that Ordinance No. O-0910-34 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Atkins;

- Items submitted for the record
- 1. Memorandum dated April 19, 2010, from Ronda Guerrero, Municipal Court Clerk, to the Honorable Mayor and Councilmembers
  - 2. Ordinance No. O-0910-34
  - 3. Legislatively notated copy of Ordinance No. O-0910-34

and the question being upon adopting Ordinance No. O-0910-34 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-0910-34 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-0910-34 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Atkins; and the question being upon adopting Ordinance No. O-0910-34 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-0910-34 was adopted upon Final Reading as a whole.

\* \* \* \* \*

## MISCELLANEOUS DISCUSSION

Damages from Tornado. Mr. Bobby Stevens, 3801 108th Avenue S.E., said he had heard that the Oklahoma Highway Patrol would be getting three helicopters which would be helpful during the next tornado.

\*

Safety During Memorial Day Weekend. Mr. Bobby Stevens, 3801 108th Avenue S.E., said there was debris floating in Lake Thunderbird and the boat docks would be closed on the north side of the lake. He said there would be many visitors to the lake on Memorial Day weekend and it would be great if there were ambulances stationed at the lake in case of accidents.

\*

Oklahoma Street. Mr. Bobby Stevens, 3801 108th Avenue S.E. said he had recently driven down Oklahoma Street where the University of Oklahoma was building a new parking lot for the new Physical Plant. He said the City was clearing trees from the site and asked if the City was being paid for this service.

Mr. Shawn O'Leary, Director of Public Works, said the University of Oklahoma has been clearing the property to build the parking lot and large pedestrian bridge across Bishop Creek to the building that would be used as the Physical Plant. He said there was a lot of debris and pollution in the creek channel and the University asked for the City's assistance in cleaning it out. He said there would be no cost to the University of Oklahoma.

\*

Links Project. Mr. Bobby Stevens, 3801 108th Avenue S.E., said Cedar Lane was closed where the Links Project is being constructed and asked when it would open back up and expressed concern about any drainage problems that could result from the construction.

Mr. Shawn O'Leary said the Links of Norman Project was a large apartment complex with an eighteen-hole golf course with required onsite drainage improvements. He said drainage would flow under Cedar Lane through the Cedar Creek Addition to the north and then into a detention basin. He said there had been changes within the last few days and there were concerns about four concrete storm pipes that had been installed. He said the developer has reconsidered and will be putting back the smaller pipe and do some onsite detention and after the smaller pipe had been replaced, the road should be opened back up. He said Council will consider on June 8th a change to the deferral improvements for the project.

\*

Website. Mr. Bobby Stevens, 3801 108th Avenue S.E., said his website is up and running on MySpace.

\*

Boy Scout at Council Meeting. Councilmember Kovach commended the Boy Scout who had sat through the long meeting tonight.

\*

Congratulations to Seniors. Councilmember Quinn said it was the end of the school year and commended all the seniors who had graduated from both high schools and urged them to be safe so they can enjoy their new jobs or their freshman year in college.

\*

Shop Norman. Councilmember Quinn said it was important to "Shop Norman" so the money can stay in Norman and can help the City operate.

\*

National Guard Armory. Mayor Rosenthal said she had attended the grand opening of the new National Guard Facility and urged citizens to take a tour of the grounds.

\*\*\*\*\*

ADJOURNMENT

There being no further business, Councilmember Quinn moved that the meeting be adjourned, which motion was duly seconded by Councilmember Kovach; and the question being upon adjournment of the meeting, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the meeting was adjourned at 11:31 p.m.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor